

REMARKS/ARGUMENTS

The Applicants have amended the claims as shown in the Listing of Claims herein. The following remarks are made with reference to the Listing of Claims herein.

The Examiner indicates that although the application is a continuation-in-part of Application 10/245,570, the Claims do not recite the straps being monolithically formed with the mat. The Examiner states that, therefore, the effective filing date of the Claimed invention is the filing date of the instant Application. This statement by the Examiner is respectfully traversed to the extent that all common subject matter between the parent case and this continuation-in-part is entitled to the filing date of the parent application.

The Examiner has rejected Claims 1-11 as being unpatentable over the foam mats of HUGGER MUGGER in view of U. S. Patent No. 5, 740,566 to Stacy and U.S. Patent No. 3,976,113 to Kim. This rejection is respectfully traversed.

The Examiner states that HUGGER MUGGER discloses a yoga mat comprising an elongated surface area, a plurality of elongated straps, one end of each strap having an end tab and a fastener adjacent to the other end tab. The Examiner is incorrect in this assertion. HUGGER MUGGER does not disclose a single yoga mat that has any straps attached to the mat. The only straps that are disclosed by HUGGER MUGGER are a completely separate harness piece which is totally separate from the yoga mat, not attached to the mat at all, and simply fits around the yoga mat, which HUGGER

MUGGER calls a “tapas harness”. The only other straps, which are carry straps, are attached to a tote bag in which the yoga mat is inserted to be carried. Again, HUGGER MUGGER does not disclose a single yoga mat that has any strap fixedly attached to the mat itself.

The Examiner cites Stacy which discloses a tarpaulin-blanket having a carry strap. The Examiner goes on to state that the ends of the elongated straps, 18B and 18C are attached to the attachment strip, 18A of Stacy. This, however, is not the case. A close look at Figure 4 shows that straps 18B and 18C are adjacent to webbing 18A but are not affixed underneath of it. In applicant’s yoga mat, one end of straps 12 and 14 are fixedly attached underneath attachment strip 30.

The Examiner states that Kim discloses a blanket comprising a carry handle 29 and an attachment strip 26. The attachment strip 26, however, of Kim, as well as the carry handle of Kim, is not attached to the edge of the blanket, but is attached some distance away from the edge of the blanket. Applicant’s carry strap, on the other hand, is attached to the very edge of the yoga mat. This is a distinct advantage and is necessary in using the yoga mat, in that it allows the user to utilize the entire length of the mat from end to end without obstruction during exercise and/or yoga practice. If the carry strap were attached some distance away from the edge of the mat, it would significantly impede the use of the mat for yoga or other exercises and make it virtually unusable.

In addition, applicant's attachment strap extends completely along one edge of the yoga mat from one side of the yoga mat to the other. One end of each tie-up strap and both ends of the carry strap are attached under the same attachment strip, all being attached to the very end of the mat, which gives the most useable surface area of the mat for its exercise purposes.

The Examiner also indicates that Stacy teaches the handle being adjustable in size, using an adjustment slide 28. However, number 28 of Stacy is described as a "releasable snap ring", which is adjustable to be opened or closed to permit the mounting of a looped end of a handle 29. There is nothing adjustable about release snap ring 28.

Applicant has designed a yoga/exercise mat wherein applicant has solved a critical problem in the use of yoga/exercise mats. As can be seen from the HUGGER MUGGER catalog, various methods have been previously suggested for carrying the mat in a rolled up state, making it easier to transport between usages, i.e. harnesses, separate bags or holders. HUGGER MUGGER discloses a totally separate harness system which must be temporarily attached around the mat after it is rolled up, or in the alternative, a separate carry bag in which the mat must be rolled up and placed inside the carry bag for transporting and then removed for use. While the use of a carry bag may seem attractive, in use, the yoga mat which accumulates perspiration during the exercises is then placed in a closed, air restricted environment, where it cannot dry and often retains the lingering dampness and odor. Applicant has designed a system whereby the mat itself may be rolled up and easily tied to be carried in a rolled-up state with an equally

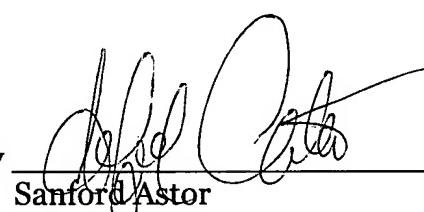
convenient carry strap, all permanently attached to the very edge of the mat, where they do not interfere in any way with the use of the mat for its yoga or exercise purposes. The entire surface of the mat is functional for exercise/yoga practice.

In view of the Amendments to the Claims and the arguments presented, early allowance of the Claims is respectfully requested.

Respectfully submitted,

Birch, Stewart, Kolasch & Birch, LLP

By


Sanford Astor
Attorneys for Applicant

(310) 209-4400